

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States District Court
Southern District of Texas
FILED

JUL 15 2008

Michael N. Milby, Clerk

JACKIE FISHER

Plaintiff,

vs.

UNIVERSITY OF TEXAS
MEDICAL BRANCH and
DAVID WATSON

Defendants.

§
§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 4:08-CV-01273

Jury Demanded

**DEFENDANTS' UNOPPOSED MOTION TO RESCHEDULE
INITIAL PRE-TRIAL CONFERENCE**

TO THE HONORABLE NANCY F. ATLAS:

Comes now Defendant and files this unopposed motion to reschedule the Court's initial pretrial and scheduling conference and would respectfully show the court as follows:

I.

The court sent its order setting the initial conference for July 25, 2008 at 1:00 p.m. in the U.S. Courthouse in Houston, Texas.

II.

Counsel for Defendant will be in a jury trial at that time. The undersigned attorney is set number one on the docket in *Cressman, et al v. Texas State Technical College* #2000-1243-4 in the 170th District Court of McClennan County, Texas. The trial is set to begin July 21, 2008 and is expected to last two weeks.

III.

Counsel for Defendant is also set for a federal jury trial for the full month of August, 2008

in *Gaines v. Shaw*, et al, #A-06-CA-0673-LY, U.S. District Court, Honorable Lee Yeakel presiding. The Court has advised the parties to be ready to go to trial at any time in August, subject to the Court's criminal docket.

IV.

The Parties have come up with a joint discovery/case management plan for submission to the court. This should be forthcoming under separate cover soon.

Wherefore, Premises Considered, Defendant respectfully requests that the initial pretrial conference be rescheduled for a time more amenable to Defendant's attorney's schedule.

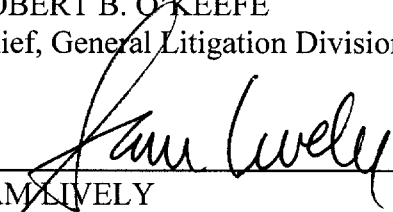
Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

KENT C. SULLIVAN
First Assistant Attorney General

DAVID S. MORALES
Deputy Attorney General for Civil Litigation

ROBERT B. O'KEEFE
Chief, General Litigation Division



SAMPLIVELY
Assistant Attorney General
Texas Bar No. 12435300
General Litigation Division
P. O. Box 12548, Capitol Station
Austin, Texas 78711
Phone No. (512) 463-2120
Fax No. (512) 320-0667

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF CONFERENCE

The parties' counsel have conferred. This motion is unopposed.



SAM LIVELY

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and forgoing document has been sent via certified mail, return receipt requested, on July ~~14~~, 2008, to the following individual:

Jo Miller
505 North Main
Carriage House
Conroe, Texas 77301



SAM LIVELY

Assistant Attorney General